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February 26, 2004 LB 821

SENATOR SCHIMEK: Yes, thank you, Mr. President and members.

SENATOR CUDABACK: You may continue. I'm sorry about that.

SENATOR SCHIMEK: The bill, LB 821, was introduced and had a hearing on January 21 this year, and it did advance to General File on an 8-0 vote. The only people who came in to testify about it were Media of Nebraska and the Nebraska State Fair. The purpose...actually, there are two purposes to the act, and one is that we rename the statutes dealing with open meetings, that we rename them part of the Open Meetings Act. Because heretofore, in the statutes we have referred to them as Sections 84-1408 to 8-1414 (sic), and nobody really knew what you were talking about when you named those statutes. So the reason the bill is so thick is that the Bill Drafter has gone through all of the statutes and renamed them the Open Meetings Act wherever there was a reference to those sections. The second purpose is to require the Nebraska State Fair Board to conduct its meetings in accordance with the Open Meetings Act. There has been some question as to whether the State Fair Board fell under the Open Meetings Act or not. In 2001, the Attorney General issued an Opinion stating the board was not subject to the public meeting statutes, although it was a close question. But since that time, we've actually passed bills amending the responsibilities of the State Fair Board and the representation on the board, so a stronger argument certainly could be made that the board is a public entity falling under these statutes. However, this legislation clarifies the situation to ensure that the State Fair Board is covered. And as I said before, there was no opposition. In fact, the State Fair Board is supportive. And with that, Mr. President, I return my time to the Chair.

SENATOR CUDABACK: Thank you, Senator Schimek. You've heard the opening on the advancement of LB 821. Open for discussion on that motion. Senator Schimek, there are no lights on. She waives the opportunity to close. The question before the body is advancement of LB 821, E & R Initial. All in favor vote aye, opposed nay. The question before the body is advancement of LB 821 to E & R Initial. Have you all voted who care to? Record please, Mr. Clerk.